

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION**

JOANNE HARRIS, *et al.*,

Plaintiffs,

V.

ROBERT F. McDONNELL, JANET M.
RAINEY, and THOMAS E. ROBERTS,
in their official capacities

Defendants.

Civil Action No. 5:13-cv-00077

**MOTION TO DISMISS GOVERNOR McDONNELL
ON SOVEREIGN IMMUNITY GROUNDS**

COMES NOW, Robert F. McDonnell, by counsel, in his official capacity as Governor of Virginia, and, pursuant to Fed. R. Civ. P. 12(b)(1), moves this Court to dismiss this action against him on grounds of sovereign immunity for the reasons stated in the accompanying memorandum in support.

Respectfully Submitted,

ROBERT F. MCDONNELL,
in his official capacity

By: _____/s/_____
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CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of August 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, and that I also sent a filed copy of the same to the following by U.S. Mail, postage prepaid:

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